



DOCKET NO: G0671.70000US00
(Formerly G00671.70000US00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): William J. Gardner, et al.
Serial No.: 09/483,653
Conf. No.: 8646
Filed: January 14, 2000
For: METHODS AND APPARATUS FOR PRODUCING ANIMAL
SOUNDS TO LURE ANIMALS
Examiner: Xu Mei
Group No.: 2644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 day of January, 2004.

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Full Signature of Signer

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

The Notice of Allowance mailed January 5, 2004, includes an Examiner's Statement of Reasons for Allowance (Page 8). The Reasons for Allowance states that "The prior art fails to specifically including (sic) means or method thereof for contemporaneously playing back the first and second pre-recorded animal sounds (distinct sounds made by a species of animal in an environment) to produce a combination of sounds (i.e., the combination of the pre-recorded first and the second distinct animal sounds) for luring the animal. The controller or means for contemporaneously playing back the recorded animal sound is in response to a first button and a second button of the (sic) being pressed contemporaneously, and wherein the first button is selected to represents (sic) the first pre-recorded animal sound and the second button is selected to represents (sic) the second pre-recorded animal sound."

While Applicant agrees that all of the allowed claims patentably distinguish over the prior art and that the prior art fails to include the combination of features listed in the above-

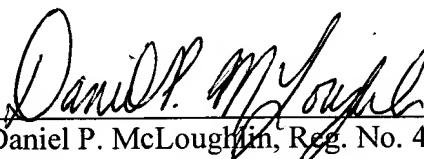
quoted language, Applicant points out that none of the independent claims include all of the limitations included in the above quoted language. For example, none of the allowed claims includes the limitation “a first button and a second button of the (sic) being pressed contemporaneously,” nor the limitation that “the first button is *selected* to represents (sic) the first pre-recorded animal sound and the second button is *selected* to represents (sic) the second pre-recorded animal sound.” (emphasis added) Further, the above-quoted language appears to suggest that the pre-recorded animal sounds are distinct sounds made by a single species of animal, which is a limitation not found in any of the independent claims. These examples are merely illustrative, as additional limitations in the above-quoted language may be absent from one or more of the independent claims.

In view of the foregoing, the allowed claims are not limited in any manner by the language quoted in the Statement of Reasons for Allowance, and each of the independent claims is allowable based solely upon the combination of limitations recited in the claim.

If there are any questions concerning the foregoing, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,
Gardner et al., Applicants

By:



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Docket No. G0671.70000US00
Date: January 16, 2004
x03/16/2004x



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Art Unit: 2644

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MAIL STOP ISSUE FEE
Commissioner For Patents
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Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Issue Fee Transmittal
- Amendment
- Comments on Statement of Reasons for Allowance
- Check in the amount of \$695.00
- Certificate of Mailing Under 37 C.F.R. §1.8(a)
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Serial No. 09/483,653
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Art Unit: 2644

A check in the amount of \$695.00 as set forth in 37 C.F.R. 1.18(a) is enclosed. If an additional fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Gardner et al., Applicants

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